

MEETING MINUTES, PLANNING COMMISSION, DECEMBER 10, 2007

Present: Phil Tinkle, Bruce Armstrong, Tom McClain, Bettina Settles, Tom Bridges, Jerry Ott, Duane O'Neal, Trent Pohlar, Ed Ferguson, Planning Director; Shawna Koons-Davis, City Attorney; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Trent Pohlar, President.

PREVIOUS MINUTES

November 12th – Tinkle moved to approve the minutes as mailed, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

NEW BUSINESS

Docket PC2007-065 – Text Amendment – I-65 Corridor Overlay Amendments – Request to amend I-65 Overlay Ordinance to prohibit automotive repair and service and gas stations within C-1, C-2 & C-3 Commercial Districts – Greenwood Plan Commission, applicant.

Ed Ferguson, Planning Director, was sworn. The City Council wanted these items added to the proposed text amendment the Commission sent to them earlier this year. This proposed amendment will prohibit gasoline stations and automobile service and repair uses in the C-1, C-2, and C-3 zones within the I-65 Overlay boundaries.

Armstrong moved that the petition to amend the Texts of the Greenwood Zoning Ordinance No. 82-1, Greenwood Comprehensive Zoning Regulations; and the Greenwood Municipal Code (1993), as amended, Chapter 10, Article 6, Supplementary District Regulations, Sections 10-101, "I-65 Corridor Overlay Zone District: to add Gas Stations and Automotive Repair and Service to the List of Uses excluded in C-1, C-2 and C-3 Commercial Districts of the I-65 Corridor Overlay Zone, as set forth therein, receive **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Docket PC2007-067 – Text Amendment – Sign Code Amendments – Request to amend Greenwood Sign Code regarding Home Occupations, Temporary Signs, Exemptions and Sign Standards by Zone Districts – Greenwood Plan Commission, applicant.

Ed Ferguson, Planning Director, was sworn. He reviewed amendments:

Political signs – time allowed; home occupation signs – 2 sq. ft. max size; allow business identification signs (like at strip centers); prohibit bench signs.

Armstrong, Sec. 2 & 3 letter "E", would like to change 30 days to 31 days and 5 days to 4 days. O'Neal opposed the changing the Sign Code as it reads now, which allows 45 days. Armstrong moved to amend Sec. 2 & 3, E., 30 days to 31 days and 5 days to 4 days, seconded by Tinkle. Vote for **approval** to amend the proposed ordinance as above was unanimous, 8-0. **Motion carried.**

Armstrong Sec. 2 & 3, letter "V" bench signs – shall be prohibited – should be add private and public? No it means both - Shawna

Settles moved that the petition to amend the Texts of the Greenwood Zoning Ordinance No. 82-1, Zoning, and 83-3, Sign Code; and the Greenwood Municipal Code (1993), as amended, Chapter 10, Article 6, Supplementary District Regulations, Section 10-97, Home Occupations; Article 14, Sign Code, Sec. 10-181, Temporary Signs; Section 10-180, Exemptions; Section 10-183, Sign Standards by Zone Districts, to modify regulations, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, as amended, seconded by Tinkle. Vote for **approval** was 6 for, 2 against (O'Neal, Bridges). **Motion carried.**

Docket PC2007-068 – Annexation Petition – Sikh Temple – request for annexation of 4.01 acre tract of land commonly known as 1050 S. Graham Rd. with re-zoning from SF Suburban Fringe to R-1 Single-family – Gurdwara Shri Guru Hargobino Sahib Ji, applicant; Chanchal Singh and Satwant Singh, owners; Northpointe Surveying, representing.

Dane Waltman and Donna Smithers; Northpointe Surveying, came forward and were sworn.

Booklets outlining the annexation request were distributed for the Commission's review. A special exception was granted for the Sikh Temple by the Board of Zoning Appeals. The proposal includes annexation w/re-zoning from Suburban Fringe to R-1 Residential.

The statutory criteria was addressed as follows:

1. **Criteria:** This request complies with the Comprehensive Plan in the following way(s) **Answer:** This parcel is currently SF (Suburban Fringe) and if annexed will be rezoned to R-1 per the City Ordinance. The current use is residential. Per Docket V2007-023 Special Use Exception this parcel was approved to be used as a religious use. The existing structure will remain. A building addition will be added to the existing structure along with parking and landscaping as required per the City Ordinance. We feel the request will comply with the Comprehensive Plan.
2. **Criteria:** This request complies with the current conditions and the character of current structures and uses in each district in the following ways **Answer:** See as stated in Item #1 above.
3. **Criteria:** The request will not negatively affect the property values throughout the Jurisdiction because **Answer:** With the current Special Use that was granted for this parcel along with the improvements proposed for this parcel we feel the request being made is the most desirable use for this land.
4. **Criteria:** This request will not negatively affect the property values throughout the Jurisdiction because **Answer:** The request being made has been approved and accepted by the City with the Special Use Exception. Therefore, we feel the use of this land as a place of worship will not affect the property values in the area.
5. **Criteria:** This request is considered responsible development and growth because **Answer:** We feel that we are staying consistent with the current approved use and therefore should be considered as responsible growth and development.

The City Attorney reviewed the statutory criteria for the Commission.

Tinkle moved that the petition for a Zone Map Change for the rezoning of approximately 4.01 acres of land known as the Singh Property generally located at 1050 South Graham Road, and within the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, from SF – Suburban Fringe use to R-1 – Residential – Single Family use, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Ott moved that the petition for annexation of approximately 4.01 acres of land known as the Singh Property general located at 1050 South Graham Road, which is in the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council in the form presented, seconded by Bridges. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Docket PC2007-070 – Annexation Petition – 825 E. Worthsville Road – request for annexation of 3.531 acre parcel of land located on E. Worthsville Rd., approximately ¼ mile east of the railroad with re-zoning from I-2 Industrial to R-3 Multi-family Residential – Shandra K. Swails, applicant; Jason and Robin Close, owners.

Donna Smithers, Northpointe Surveying, came forward and was sworn.

The proposed development of the property includes platting it into 2 lots.

The statutory criteria was addressed as follows:

1. **Criteria:** This request complies with the Comprehensive Plan in the following way(s) **Answer:** This parcel is currently zoned industrial and is shown as industrial on the Comprehensive Plan. The current use is residential. The proposed use will remain the same as it exists. The zoning requested for this parcel is R-3. If approved the existing structure will remain and an additional structure will be constructed. With the current use in place and this use being requested with the re-zone we feel the request will comply with the Comprehensive Plan.
2. **Criteria:** This request complies with the current conditions and the character of current structures and uses in each district in the following ways **Answer:** See as stated in Item #1 above.
3. **Criteria:** The request will not negatively affect the property values throughout the Jurisdiction because **Answer:** With the current residential use and the request to split the parcel and add another residential structure we feel the request being made is the most desirable use for this land.
4. **Criteria:** This request will not negatively affect the property values throughout the Jurisdiction because **Answer:** The use request is the same as the existing use and is less than the Industrial use within the area.
5. **Criteria:** This request is considered responsible development and growth because **Answer:** We feel that we are staying consistent with the current use and therefore should be considered as responsible growth and development.

Armstrong inquired why the petitioner is requesting R-3 instead of R-1. Ferguson explained that the petitioners have not decided whether they are building a single-family home or a duplex on the new lot they will be creating once the subdivision plat is approved. Therefore, he suggested they ask for R-3 since that zoning would allow them to building whichever one they choose. The new home will include living quarters for parents.

City Attorney reviewed statutory criteria.

Ott moved that the petition for a Zone Map Change for the rezoning of approximately 3.531 acres of land known as the Close Property generally located at 825 E. Worthsville Road, and within the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, from I-2 – Industrial I-Heavy use to R-3 – Residential – Multi-Family use, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, with the commitment: no more than 2 lots, no more than one duplex on second lot, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Ott moved that the petition for annexation of approximately 3.531 acres of land known as the Close Property generally located at 825 E. Worthsville Road, which is in the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council in the form presented, with the commitment: insert seconded by Tinkle. Vote for **approval** was unanimous, 8-0.

Motion carried.

Docket PC2007-072 – Primary Plat – Sutton Park Shoppes – Replat of Blocks A & D of Menards and Sutton Park Shoppes commercial subdivisions – proposed 4 lot commercial subdivision with 9.71 acres currently zoned C-2 Commercial – Sutton Park Shoppes, LLC, applicant; Maurer Surveying, representing.

Paul Maurer, Maurer Surveying, came forward and was sworn.

Maurer explained to the Commission how the replatting brings together both subdivisions and how Marlin Drive will be extending southward.

Maurer asked the Commission to amend Tech Committee recommendations 1 & 2. He would like have the word "dedications" moved from #1 down to #2 so that the land alteration permit can be issued prior to dedications being obtained. Ferguson explained that there is an existing storm sewer and easement that have to be re-located because of the new building location. That move must occur after the land alteration permit, but prior to the building permit. O'Neal moved to make that amendment, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. Motion carried.

Tinkle moved to approve PC2007-072, subject to the recommendations of the Tech Committee being met as read by Planning Director, and as amended, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

ANNOUNCEMENTS/REPORTS

Mr. Ferguson distributed a memorandum listing the Outside Consultants that the staff is recommending the City use, along with the rates and fees. O'Neal moved to approve the fees, rates and firms as listed on the memorandum (see attachment), seconded by Tinkle. Vote for **approval** was 7 for, 1 against (Armstrong). **Motion carried.**

Armstrong stated he will not be back on the Commission next year. When he began his Council term it was suggested that all new members take a turn serving on the Plan Commission and he anticipates the same thing being suggested for the incoming Council members.

O'Neal moved to adjourn, seconded by Settles. Meeting was adjourned at 7:55 p.m.

JANICE NIX
Recording Secretary

TRENT POHLAR
President